

Exhibit 19

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1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 NORTHERN DISTRICT OF CALIFORNIA
3 PHILIP WONG, FREDERIC CHAUSSY,)
4 and Leslie Marie Shearn,)
5 individually, on behalf of the)
6 general public,)
7 Plaintiffs,)
8 vs.) No. 07-CV-2446
9 HSBC MORTGAGE CORPORATION (USA);)
10 HSBC Bank USA, N.A.; and DOES 1,)
11 through 50, inclusive,)
12 Defendants.)
13 The 30(b)(6) deposition of HSBC
14 MORTGAGE CORPORATION, SUSAN R. MARCZAK, called as
15 a 30(b)(6) witness by the Plaintiffs, for
16 examination, taken pursuant to notice, agreement
17 and by the provisions of the Rules of Civil
18 Procedure for the United States District Courts
19 pertaining to the taking of depositions, taken
20 before Patricia A. Armstrong, a Notary Public
21 within and for the County of DuPage, State of
22 Illinois, and a Certified Shorthand Reporter,
23 No. 084-1766, of said state, at 200 North LaSalle
24 Street, Chicago, Illinois, on the 30th day of
25 August, 2007 at 10:00 a.m.

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1 PRESENT:

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3 NICHOLS KASTER & ANDERSON, LLP,

4 (One Embarcadero Center, Suite 720,

5 San Francisco, CA 94111,

6 415-277-7235), by:

7 MR. BRYAN J. SCHWARTZ,

8 appeared on behalf of the Plaintiffs;

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11 LITTLER MENDELSON,

12 (650 California Street, 20th Floor,

13 San Francisco, California 94108-2693,

14 415-433-1940), by:

15 MS. MICHELE R. BARRETT,

16 appeared on behalf of Defendants.

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19 ALSO PRESENT:

20 MR. JIM ROSS, Videographer.

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23 REPORTED BY: PATRICIA ARMSTRONG, CSR, RPR.

24 Certificate No. 84-1766.

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1 Q. I see. Okay.

2 Who did they report to before then?

3 A. Actually, they reported to Brian Wallace
4 when he was a HSBC Mortgage Corporation employee.

5 Q. And who did he report to at that time?

6 MS. BARRETT: Objection; beyond the scope of
7 the deposition notice.

8 BY THE WITNESS:

9 A. I'm not sure. I would assume he
10 reported at that time to Randy Roup, who was the
11 EVP of mortgage at that time. But that is a guess
12 on my part.

13 BY MR. SCHWARTZ:

14 Q. Beyond that, do you have any knowledge
15 about training that's conducted for employees to
16 mortgage corporation?

17 A. No.

18 Q. If you look at the next topic, which
19 relates to performance expectations, you have
20 already testified you don't really know about
21 performance expectations of the different
22 employees within the mortgage corporation, but the
23 disciplinary and removal procedures, through --
24 where -- through whom do supervisors in the
25 mortgage unit go when they want to discipline or

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1 remove an employee?

2 A. There is actually two. There is

3 differences between disciplining and removing.

4 But there is a corrective action policy that

5 applies across all of -- all employees across the

6 U.S. that provides guidance on how disciplinary

7 action should be done.

8 Q. And that's from HSBC Finance Corp?

9 A. That's correct.

10 Q. And that is through Miss Kalamaras?

11 A. Kalamaras, right.

12 Q. Kalamaras.

13 Now -- and then, you said there's

14 another -- a different policy for --

15 A. It's not a different policy.

16 Terminations would -- human resources is advised

17 on a potential termination.

18 So the guide -- we would provide

19 guidance, human resources, in this case for the

20 mortgage corporation, it would be Jeanie Jennings

21 would provide guidance to the manager on a

22 potential termination.

23 They don't make the decision. The

24 decisions are made by the business and the

25 business manager, but they would provide guidance

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1 over the situation.

2 Q. Does the overarching policy for all HSBC
3 entities in the U.S., which is set out by a HSBC
4 Finance Corp, does that policy describe some
5 progressive discipline that managers are supposed
6 to follow?

7 A. It provides guidelines on different
8 steps that can occur, but there is no hard and
9 fast. We are an at-will company, so there is no
10 hard and fast steps. Based on the situation at
11 hand, it would determine what corrective action
12 would be taken.

13 Q. Is that true also of -- that's true of
14 both disciplinary and termination, that the
15 policies come from HSBC finance Corp, the
16 guidance -- the hands-on guidance comes from your
17 HR department, and then it's executed by,
18 obviously, the manager of the particular employee
19 involved?

20 A. That's correct.

21 Q. If you will turn to Topic No. -- and
22 then -- well, just to wrap that up, I assume based
23 on your prior testimony, that beyond that, you
24 don't have specific information as to what would
25 lead to a termination for a loan officer or a

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1 STATE OF ILLINOIS)

2) SS.

3 COUNTY OF DU PAGE)

4 I, Patricia A. Armstrong, Certified

5 Shorthand Reporter No. 084-1766, Registered

6 Professional Reporter and Notary Public in and for

7 the County of DuPage, State of Illinois, do hereby

8 certify that previous to the commencement of the

9 examination, said witness was duly sworn by me to

10 testify the truth; that the said deposition was

11 taken at the time and place aforesaid; that the

12 testimony given by said witness was reduced to

13 writing by means of shorthand and thereafter

14 transcribed into typewritten form, and that the

15 foregoing is a true, correct, and complete

16 transcript of my shorthand notes so taken as

17 aforesaid.

18 I further certify that there were

19 present at the taking of the said deposition the

20 persons and parties as indicated on the appearance

21 page made a part of this deposition.

22 I further certify that I am not counsel

23 for nor in any way related to any of the parties

24 to this suit, nor am I in any way interested in

25 the outcome thereof.

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1 I further certify that this certificate
2 applies to the original signed IN BLUE and
3 certified transcripts only. I assume no
4 responsibility for the accuracy of any reproduced
5 copies not made under my control or direction.

6 IN TESTIMONY WHEREOF I have hereunto set
7 my hand and affixed my notarial seal this 4th day
8 of September, A.D., 2007.

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16 Patricia A. Armstrong, CSR, RPR.,

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18 My Commission Expires

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20 March 23, 2009.

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